

Exhibit 1:

January 2, 1991 Drainage Analysis



# MITTELHAUSER corporation

2401 Crow Canyon Road, Suite 100  
San Ramon, California 94583  
(415) 743-0335

January 2, 1991

Terry Allen or Curt Snyder  
Clatsop City Planning Department  
P.O. Box 179  
Astoria, Oregon 97103

Dear Terry:

Please complete the enclosed Land Use Compatibility Statement (LUCS) for the following facility:

Jackson & Sons Oil, Incorporated  
Hwy 101 & 26 Hamlet Rt.  
Seaside, Oregon 97138  
(503) 738-5833

The federal storm water rules and DEQ require a permit for many industrial sites, provided that storm water leaves the site and can reach surface waters of the state. The permit application, Registration Application for General Storm Water Permit, is due by January 1, 1992. In addition to the permit application, DEQ requires a LUCS be completed by the local government(s). DEQ is allowing facilities to send the LUCS separate of the permit applications, but they should arrive as soon as possible. Therefore, we request the local planning department complete the LUCS for the facility named above and send a copy of the LUCS directly to DEQ. Additionally, please send a copy to the address below:

Union Oil Company of California (UNOCAL)  
c/o Mittelhauser Corporation  
2401 Crow Canyon Road, Suite 100  
San Ramon, California 94583  
(510) 743-0335

If you have any questions, please call Mike Zimmerman, Mittelhauser, at (510) 743-0335 or Joe Comstock, Union Oil Company of California, at (510) 277-2421.

Sincerely,

MITTELHAUSER CORPORATION

*Michael J. Zimmerman*  
Michael J. Zimmerman  
Environmental Engineer

Enclosure: LUCS Form  
A:\WP51\0718LUCS.wp



## LAND USE COMPATIBILITY STATEMENT

(read page 1 before completing)

### TO BE COMPLETED BY APPLICANT

1. Name: Larry Jackson Address: Hwy. 101 & 26 Hamlet Rt., Seaside, OR 97138  
City State Zip  
Phone: (503) 738-5833 Type of permit/approval: General Storm Water Permit  
2. Application to DEQ will be for: ☒ New Permit/Plan Approval ☐ Permit Renewal  
☐ Permit Modification ☐ Authorization Letter  
3. Name and address of business: Jackson & Sons Oil, Inc. (see address above)  
4. Describe the type of business and product or service the business provides:  
Petroleum Bulk Plant - provides bulk storage and distribution (truck loading and unloading)  
of petroleum products.  
5. If not a new source, explain the change in circumstances that require a permit/approval:  
The new federal storm water rules require a NPDES General Storm Water Permit as well as  
a Land Use Compatibility Statement (LUCS).  
6. Describe the specific source/facility that requires a permit/approval:  
Storm Water associated with runoff from the site.  
7. For permit modification/renewal only: Does the criteria in section II, page 1 apply to the  
proposed permit modification or renewal? ☐ Yes ☐ No  
Explain basis for determination:  
N/A  
If yes, describe how the changes may impact land uses, i.e. increased lot coverage;  
increased air emissions, water discharges or noise levels; impacts to transportation system,  
etc.:  
N/A

### TO BE COMPLETED BY LOCAL GOVERNMENT

8. Business/facility location: ☐ Inside city limits ☐ Inside UGB ☐ Outside UGB  
What local government(s) has planning jurisdiction over this use? \_\_\_\_\_  
Is the local plan currently acknowledged? ☐ Yes ☐ No If no, is this use  
affected by any portion of the plan which is not acknowledged? ☐ Yes ☐ No  
9. The business/facility:  
A. ☐ \*Is an allowed outright use.  
B. ☐ Is allowed subject to siting, design,  
construction or operational standards.  
C. ☐ Is allowed subject to conditional  
use or review requirements which  
require public notice.  
D. ☐ Is prohibited by the plan.  
E. ☐ Is not addressed by the plan.

\* This means the use may exist without any further local planning conditions or authorizations.



DEPARTMENT OF ENVIRONMENTAL QUALITY  
LAND USE COMPATIBILITY REQUIREMENT FOR ENVIRONMENTAL PERMITS/APPROVALS

The Department of Environmental Quality requires regulatory source permits/approvals for facilities that discharge or release pollutants into the environment. Through these permits, specific environmental criteria or standards must be met. The criteria and standards are intended to ensure that public health, safety and the environment are protected.

Land uses that are subject to environmental regulations must also comply with local government planning regulations. Land uses are classified into land use zones, in part due to their general impact on and compatibility with other types of uses. It is the Department's policy that proof of local land use compatibility be submitted with a source permit application. This assures that the type of land use and activities in conjunction with that use have been reviewed and approved by local government before a permit is processed and issued.

**I. NEW PERMITS/APPROVALS.** The Department of Environmental Quality requires that a Land Use Compatibility Statement (LUCS) from the affected local government(s) be submitted with an application for the following:

- |  |   |
|--|---|
| 1. Air Contaminant Discharge Permits (ACDP)          | 9. Pollution Control Bond Fund Requests                                 |
| 2. Noise Impact Boundaries for Racing Facilities     | 10. Wastewater System Facility/Sewer System Plans                       |
| 3. Airport Abatement Plan/Noise Impact Boundaries    | 11. Water Quality Construction Grants                                   |
| 4. Air Indirect Source Construction Permits          | 12. Municipal Wastewater Treatment System State Revolving Loan Requests |
| 5. Parking and Traffic Circulation Plans             | 13. Certification of Water Quality Standards for Federal Permits        |
| 6. Solid Waste Disposal Permits/Authorization Letter | 14. On-Site Sewer Permits   |
| 7. Waste Tire Storage Permits                        | 15. Water Discharge Permits (NPDES/WPCF/General)                        |
| * 8. HW/PCB Storage, Treatment and Disposal Permits  |   |

**II. PERMIT MODIFICATION/RENEWAL.** A permit modification requires an approved LUCS if any of the following apply: (1) The permitted source or activity involves the use of additional property or a physical expansion on the existing property. The LUCS applies to physical changes on the property, not to existing permit conditions; (2) The permitted source or activity involves a significant increase in discharge to state waters or into the ground; (3) The permitted source or activity involves the relocation of an outfall outside of the source property; (4) For a major modification of an air contaminant discharge permit, which means any physical change or change of operation of a source that results in a net significant emission rate increase as defined in OAR 340-20-225(25).

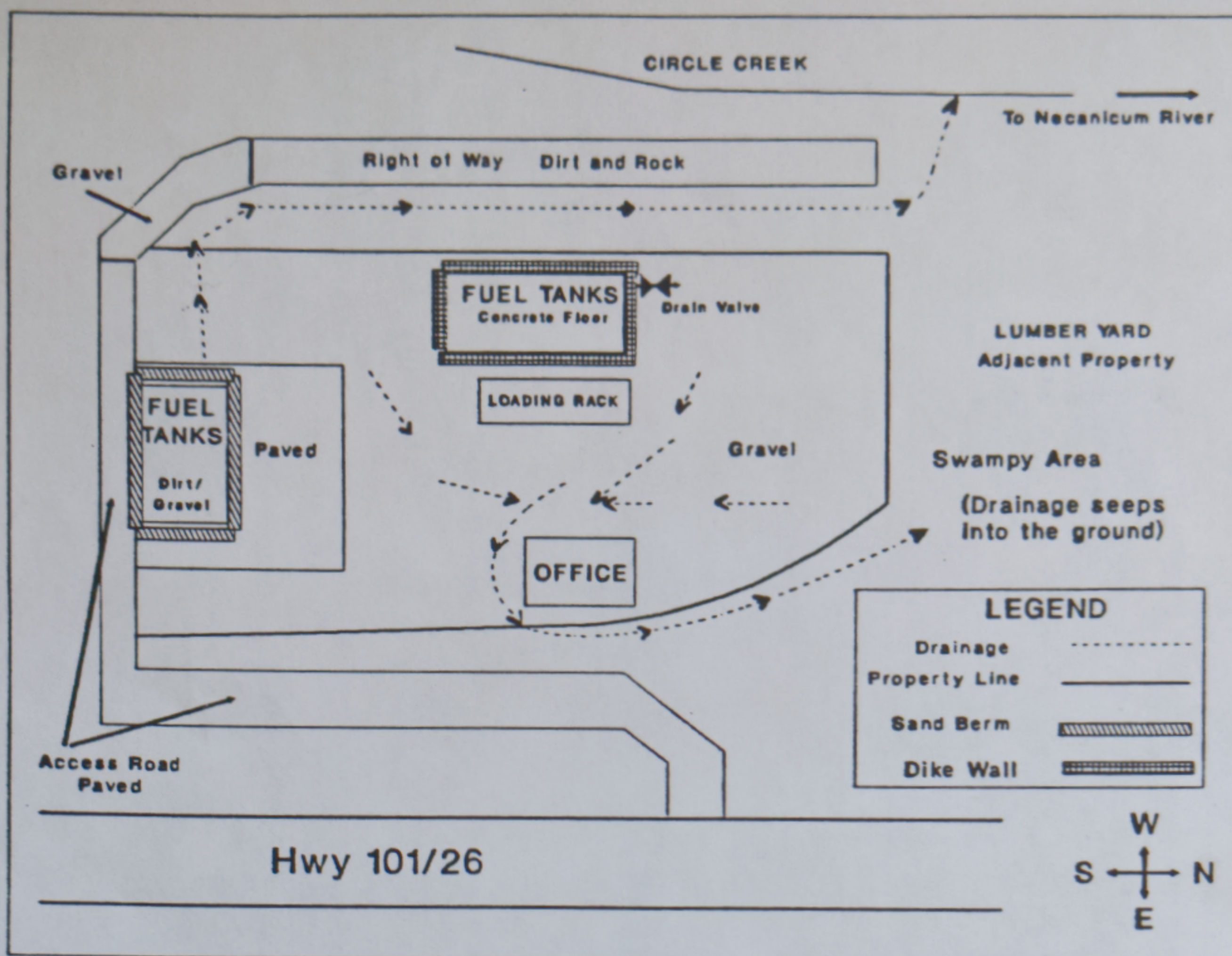
A permit renewal requires an approved LUCS if the renewal is to address a modification which applies to (1), (2), (3), or (4) above, or if an approved LUCS was not provided for the existing permit.

An applicant seeking a Department permit or approval is required to submit a LUCS to the affected local government(s) for a determination of compatibility with the local comprehensive plan(s). Typically, a local compatibility review includes a determination that the use or proposed use is allowable within its given zoning designation. The local government must include written findings of fact substantiating its determination. Required findings must: 1) State the relevant criteria, standards or policies; 2) State the facts relied upon in rendering the decision; and 3) State the conclusions and reasoning, referencing applicable policies. For example, if a use is allowed outright, a copy of the zone provision or citation and summary would constitute sufficient findings. If a review of some sort is required, the findings must include the review criteria and review conclusions.

In cases where a city and county share jurisdiction, a compatibility determination, sign off, and written findings are required from both entities.

\* DEQ administrative rule Division 20 requires specific findings.





ENG	MJZ
CHK BY	MJZ
AFT BY	
DRAWN	DLP
DATE	12/27/91
SCALE	
CAD NO	18910003
PLW NO	P1891

# PLOT PLAN SEASIDE BULK PLANT

DRWG NO

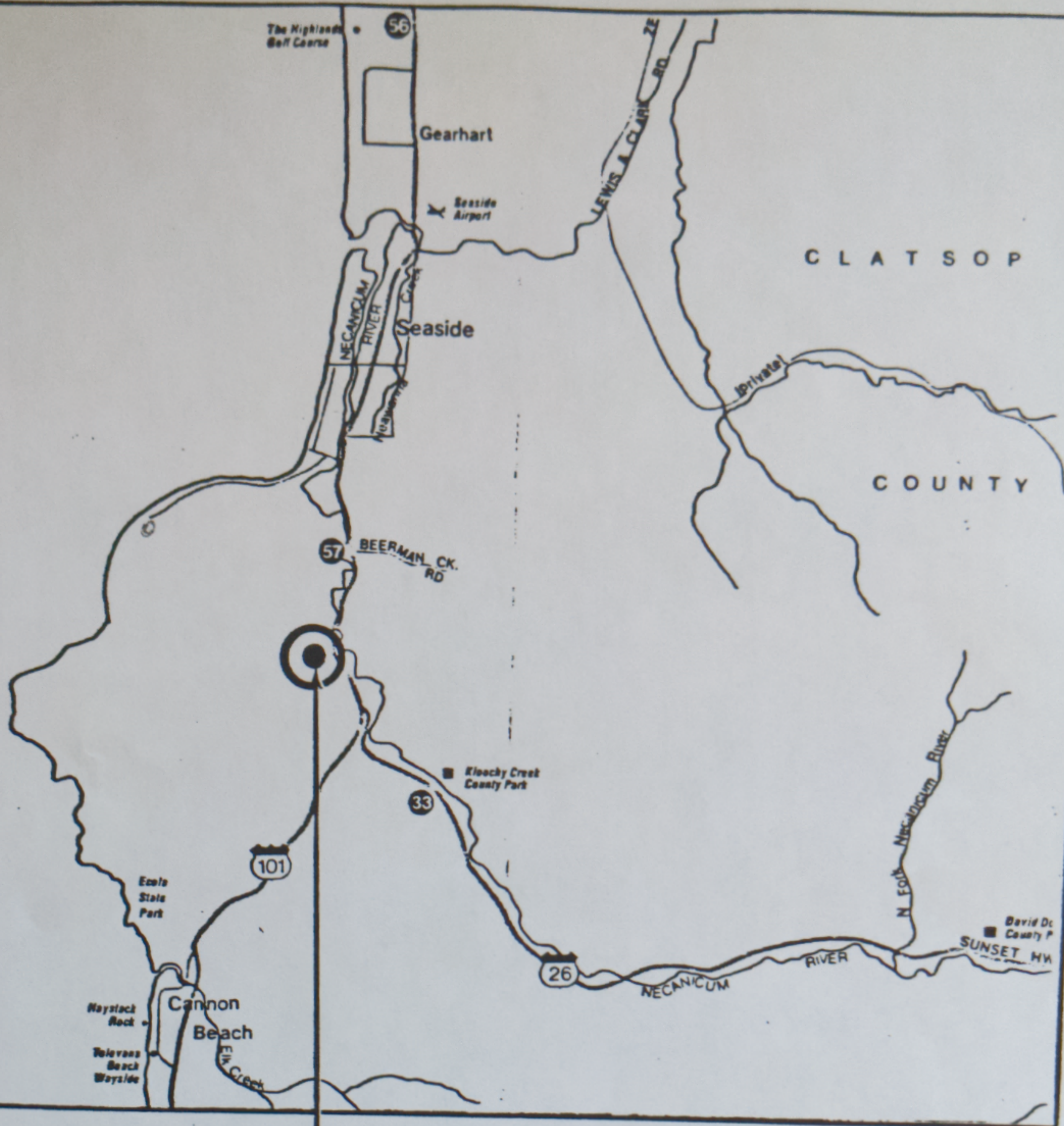
REV

BP-0718

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P A C I F I C



SITE

ENG	MJZ
CHK BY	MJZ
APP BY	
DRAWN	DLP
DATE	12/30/91
SCALE	
CAD NO	18910005
PPL NO	P1891

### LOCATION MAP

JACKSON & SONS OIL  
SEASIDE, OREGON

DRWG NO

REV

BP-0718

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